

ORDINANCE NO. 11-15
INTRODUCTION DATE: 08-03-11
ADOPTION DATE: 09-07-11

**ORDINANCE AMENDING CHAPTER III (POLICE REGULATIONS) OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MILLSTONE,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY.**

BE IT ORDAINED by the Township Committee of the Township of Millstone, County of Monmouth, State of New Jersey, as follows (additions are underlined, and deletions are in [brackets]):

I

Chapter III (Police Regulations) is hereby amended by adding the following:

Section 3-26 Manufacturing, Selling, Transporting or Using Fireworks. Any person who shall manufacture, sell, transport or use fireworks, or permit the use of fireworks on premises under ones ownership or control, shall be adjudged in violation of this chapter. "Fireworks," as used herein, shall include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation. Persons having ownership or control of premises at which fireworks have been used in violation of this subsection shall give rise to a rebuttable presumption to having permitted the use of fireworks on such premises. Such presumption may be rebutted by submitting evidence that such person took affirmative action to stop or prevent such use, or was not physically at or in close proximity to the premises at any time during such use. It shall be a defense to a charge hereunder if the person shall have been issued a permit by written resolution of the Township Committee pursuant to the provisions of the State Fire Prevention Code.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

IV

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance amends Chapter III (Police Regulations) by adding a new Section 3-26 for the manufacturing, selling, transporting and use of fireworks.